

POLICY FOR THE CONDUCT AND DECORUM OF PUBLIC MEETINGS

1.1 Definitions

- (a) "Public agency", except as provided in section 2.1 of this chapter, among other things, means the following:
- (1) Any county, township, political subdivision, or other entity, by whatever name designated, exercising executive, administrative, or legislative power of the county.
 - (2) Any entity which is subject to either:
 - (A) budget review by either the department of local finance or the governing body of the county, or township; or
 - (B) audit by the state board of accounts that is required by statute, rule, or regulation.
 - (3) Any advisory commission, committee, or body created by statute, ordinance, or executive order to advise the governing body of a public agency.
- (b) "Governing body" means two (2) or more individuals who are any of the following:
- (1) A public agency that:
 - (A) Is a board, a commission, an authority, a council, a committee, a body, or other entity; and
 - (B) Takes official action on public business.
 - (2) The board, commission, council, or other body of a public agency which takes official action upon public business.
 - (3) Any committee appointed directly by the governing body or its presiding officer to which authority to take official action upon public business has been delegated. However, the following do not constitute a governing body for the purposes of this policy:
 - (A) An agent or agents appointed by the governing body to conduct collective bargaining on behalf of the governing body.
 - (B) A committee appointed directly by the governing body or a designee of the governing body:
 - (i) for the sole purpose of receiving information, deliberating, or making recommendations to the governing body; and
 - (ii) that has not more than one (1) member of the governing body as a member.
- (c) "Meeting" means a gather of a majority of the governing body of a public agency for the purpose of taking official action upon public business. It does not include any of the following:
- (1) Any social or chance gathering not intended to avoid this chapter.
 - (2) Any on-site inspection of any:
 - (A) project;
 - (B) program; or
 - (C) facilities of applicants for incentives or assistance from the governing body.

- (3) Traveling to and attending meetings of organizations devoted to betterment of government.
- (4) A caucus.
- (5) A gathering to discuss an industrial or a commercial prospect that does not include a conclusion as to recommendations, policy, decisions, or final action on the terms of a request or an offer of public financial resources.
- (6) An orientation of members of the governing body on their role and responsibilities as public officials, but not for any other official action.
- (7) A gathering for the sole purpose of administering an oath of office to an individual.
- (d) "Official action" means to:
 - (1) receive information;
 - (2) deliberate;
 - (3) make recommendations;
 - (4) establish policy;
 - (5) make decisions; or
 - (6) take final action.
- (e) "Public business" means any function upon which the public agency is empowered or authorized to take official action.
- (f) "Executive session" means a meeting from which the public is excluded, except the governing body may admit those persons necessary to carry out its purpose. The governing body may also admit an individual who has been elected to the governing body but has not been sworn in as a member of the governing body.
- (g) "Final action" means a vote by the governing body on any motion, proposal, resolution, rule, regulation, ordinance, or order.
- (h) "Caucus" means a fathering of members of a political party or coalition which is held for purposes of planning political strategy and holding discussions designed to prepare the members for taking official action.
- (i) "Deliberate" means a discussion which may reasonably be expected to result in official action (defined in subsection (d)(3), (d)(4), (d)(5), or (d)(6)).
- (j) "Person" means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity.

2. CONDUCT OF MEETINGS

2.1 Application

- (a) These policies apply only to a meeting of the governing body of an entity described within the section above.
- (b) As used in this section, "attendee" means a member of the public who is physically present at a meeting of a governing body.

2.2 Power of the Governing Body

- (a) If a governing body allows attendees to speak on a topic at a meeting, the governing body may designate a period of talking for taking public testimony that is:
 - (1) before or during the governing body's discussion or consideration of the topic;
and
 - (2) before the governing body takes final action on the topic.
- (b) If a governing body allows attendees to speak on a topic at a meeting, the governing body may allot an amount of time for attendees to speak on a topic. The allotted amount of time must be made known to the attendees before their designated period of talking.
- (c) A governing body may adopt reasonable policies governing the conduct of a meeting in order to maintain order during a meeting with respect to attendees and the elected officials of the governing body.

2.3 Conduct and Decorum

- (a) If invited to speak by the governing body, an attendee may only speak for the allotted time designated by the governing body.
- (b) Attendees must act and speak with respect to the governing body and to other attendees.
- (c) The governing body may issue warnings and a subsequent dismissal based upon, but not limited to, the following acts:
 - (1) profanity;
 - (2) making threats;
 - (3) excessive yelling or shouting;
 - (4) physical force;
 - (5) interruption; or
 - (6) any other act deemed inappropriate by the governing body.

2.3 Notice

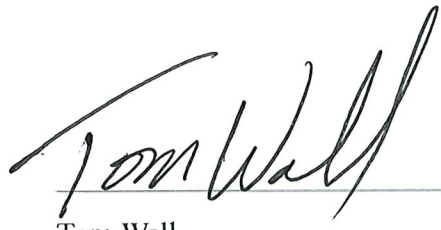
- (a) The governing body must notify attendees of any rules or policies that are adopted under this section by:
 - (1) Posting the policies in a visible area at the entrance to the meeting location; or
 - (2) Making an announcement of the rules or policies at the meeting before taking public comment.

2.4 Enforcement

- (a) The presiding member of the governing body may issue warnings to attendees who disrupt a meeting.
- (b) The presiding member may issue up to three (3) warnings to an attendee who disrupts the meeting. Upon the third warning, the presiding member may:
 - (1) ask the attendee to leave the meeting; and
 - (2) have a law enforcement officer remove the attendee from the meeting if the attendee refuses to leave when directed.

- (c) Nothing within this policy may be construed to prohibit a law enforcement officer from immediately removing an attendee from a meeting if:
- (1) the removal of the attendee is necessary to maintain order or ensure the safety of another person;
 - (2) the attendee commits a criminal offense; or
 - (3) the attendee violates the policies governing the conduct of meetings established by the governing body.

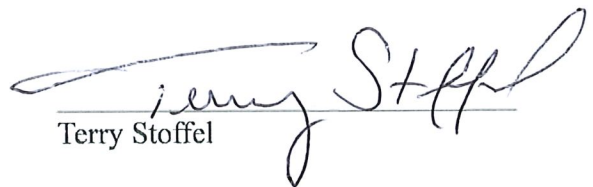
This policy is adopted this 29th day of July, 2024, by the Board of Commissioners of Huntington County, Indiana.



Tom Wall



Rob Miller



Terry Stoffel